

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re : George Hradil Atty Docket : 29691-05 (LE)
Patent No.: 6,193,858 Issued: February 27, 2001
Serial No.: 09/216,859 Filing Date: December 21, 1998
Confirmation No.: 9057

Title: Spouted Bed Apparatus For Contacting Objects with A Fluid

Attn: Office of Petitions (Joanne Burke)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REVISED ASSERTION PETITION UNDER 37 CFR 1.28

Requesting Change in Entity Status to Large Entity
for 1st, 2nd, and 3rd Maintenance fees previously paid
(correcting Assertion previously filed August 24, 2012)

A Notice mailed October 22, 2012, was received from the Office declining to accept the earlier Assertion filed in regard to the above patent on August 24, 2012 (copy attached), which requested acceptance of a fee deficiency submission under 37 CFR 1.28. This Revised Assertion is filed to correct the deficiencies in the earlier Assertion as identified in the aforesaid Notice.

All 3 maintenance fees for the above-referenced patent were filed in the small entity amount with no deceptive intent, upon information and belief. It has now been discovered that, upon information and belief, the patent owner was not entitled to small entity status at the time that all 3 maintenance fees were paid. The patent owner therefore respectfully requests that the US Patent and Trademark Office change the status from small entity to large entity.

Below is the Itemization of the Deficiency Owed, this deficiency having been paid on August 24, 2012, along with the filing of the earlier Assertion:

1. First Maintenance Fee:

- (A) The first maintenance fee rate for a non-small entity on August 24, 2012, was \$1,130.
- (B) The first maintenance fee was originally paid at the small entity rate of \$455 on July 15, 2004.
- (C) The deficiency amount owed was **\$675**.

2. Second Maintenance Fee:

- (A) The second maintenance fee rate for a non-small entity on August 24, 2012, was \$2,850.
(B) The second maintenance fee was originally paid at the small entity rate of \$1,180 on June 16, 2008.
(C) The deficiency amount owed was **\$1,670**.

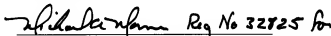
3. Third (Final) Maintenance Fee:

- (A) The third maintenance fee rate for a non-small entity on August 24, 2012, was \$4,730.
(B) The third maintenance fee was originally paid at the small entity rate of \$2,365 on August 15, 2012.
(C) The deficiency amount owed was **\$2,365**.

The total deficiency payment owed was \$4,710 (\$675+\$1,670+\$2,365=\$4,710). This total amount was paid on August 24, 2012 via Deposit Account number 080719. The Patent Office gave each of the 3 maintenance fee deficiencies (\$675, \$1,670, and \$2,365) a fee code of 1599.

It is believed that no further fees are required, but in the event that further fees are required, the Director is hereby authorized to charge any additional fee(s) required and to credit any overpayment to Deposit Account Number 080719.

Date: 11/5/2012


TOWNSEND M. BELSER, JR. (Reg. No. 22,956)
Nexsen Pruet, LLC
Post Office Drawer 2426
Columbia, SC 29202-2426
803-771-8900 Extension 3020

Certificate of Transmission Via EFS- I hereby certify that this document is being filed with the United States Patent and Trademark Office via EFS on 11/5/2012.


Sharon Hutto



UNITED STATES PATENT AND TRADEMARK OFFICE

29671-05

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

NEXSEN PRUET, LLC
PO DRAWER 2426
COLUMBIA SC 29202-2426

OCT 22 2012

MAILED

OCT 22 2012
OFFICE OF PETITIONS

COPY

In re Application of
George Hradil et al.
Application No. 09/216,859
Filed: December 21, 1998
Attorney Docket No 1924/00003

NOTICE

This is a notice regarding request filed August 24, 2012, for acceptance of a fee deficiency submission under 37 CFR 1.28.

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989).** Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **NOT ACCEPTED**.

A request for acceptance of a fee deficiency submission under 37 CFR 1.28 petitioners is required to provide an itemization of the deficiency payment. Petitioner's attention is directed to 37 CFR 1.28(c)(2) (ii) which states:

(2) *Payment of deficiency owed.* The deficiency owed, resulting from the previous erroneous payment of small entity fees, must be paid.

(ii) *Itemization of the deficiency payment.* An itemization of the total deficiency payment is required. The itemization must include the following information:

(A) Each particular type of fee that was erroneously paid as a small entity, (e.g., basic statutory filing fee, two-month extension of time fee) along with the current fee amount for a non-small entity;

(B) The small entity fee actually paid, and when. This will permit the Office to differentiate, for example, between two one-

EP

month extension of time fees erroneously paid as a small entity but on different dates;

(C) The deficiency owed amount (for each fee erroneously paid); and

(D) The total deficiency payment owed, which is the sum or total of the individual deficiency owed amounts set forth in paragraph (c)(2)(ii)(C) of this section.

COPY

Inquiries related to this communication should be directed to the undersigned at (571) 272-4584.

/JoAnne Burke/
JoAnne Burke
Petitions Examiner
Office of Petitions

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

In re : George Hradil Atty Docket : 29691-05 (LE)
Patent No.: 6,193,858 Issued: February 27, 2001
Serial No.: 09/216,859 Filing Date: December 21, 1998
Confirmation No.: 9057

Title: Spouted Bed Apparatus For Contacting Objects with A Fluid

Attn: Maintenance Fee Division
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

08/27/2012 MBANGURA 08080814 080719 6193858
01 FC:1599 2365.00 DA

ASSERTION

All 3 maintenance fees for the above-referenced patent were filed in the small entity amount with no deceptive intent. It has now been discovered that, upon information and belief, the patent owner was not entitled to small entity status at the time that all 3 maintenance fees were paid. The patent owner therefore respectfully requests that the US Patent and Trademark Office change the status from small entity to large entity.

In the above identified application, the Director is hereby authorized to charge our Deposit Account Number 080719 in the amount of \$4,710.00. This amount is the sum of all three maintenance fees at the current large entity rates (\$8,710.00) minus what was previously paid for these 3 maintenance fees (\$4,000.00).

The Director is hereby also authorized to charge any additional fee(s) required and to credit any overpayment to our Deposit Account Number 080719.

Date: 8/24/2012

Michael M. Belser (Reg. No. 32825) for
TOWNSEND M. BELSER, JR. (Reg. No. 22,956)
Nexsen Pruet, LLC
Post Office Drawer 2426
Columbia, SC 29202-2426
803-771-8900 Extension 3020

08/27/2012 MBANGURA 08080813 080719 6193858
01 FC:1599 1670.00 DA

Certificate of Transmission Via Facsimile-I hereby certify that this document is being filed with the United States Patent and Trademark Office via facsimile 571-273-6500 addressed to Attention: Maintenance Fee Division, on

8/24/2012

Sharon Hutto
Sharon Hutto

08/27/2012 MBANGURA 08080812 080719 6193858
01 FC:1599 675.00 DA

NPCOL12999997.1-OPDOC-(TMB) 029691-00005

FAX TRANSMISSION COVER PAGE

COPY

TO: US PATENT & TRADEMARK OFFICE **FAX NO.:**
Attn: Maintenance Fee Division 571-273-6500

FROM: Ms. Sharon Hutto
for Attorney Townsend M.
Belser, Jr.
Nexsen Pruet, LLC **PHONE:** 803.771.8900 ext 3020
PO Drawer 2426
Columbia SC 29202-2426

RE: Patent No. 6,193,858 **DATE:** August 24, 2012

NUMBER OF PAGES WITH COVER PAGE: 2

Message:

Attached hereto and transmitted herewith is the Assertion to correct the entity status and amounts of the Maintenance Fees previously paid for the above patent. If there are any questions regarding or problems with this document, please call Mrs. Sharon Hutto at 803-771-8900 x 3020.

CONFIDENTIALITY NOTE

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS LEGALLY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR DUPLICATION OF THIS TELECOPY IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS TELECOPY IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS ABOVE VIA THE UNITED STATES POSTAL SERVICE. THANK YOU.

NEXSEN PRUETT, LLC
ATTORNEYS AND COUNSELORS AT LAW
1230 MAIN STREET, SUITE 700 (29201)
POST OFFICE DRAWER 2426
COLUMBIA, SC 29202
803.771.8900 • FAX: 803.253-8277

NPCOL1:2999997.1-OPDOC(TMB) 029691-00005